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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re- direct</u>	<u>Re- cross</u>	<u>By Examiner</u>
Aurelia Simpson		30			18
Zenetra Weatherall	40	48			51

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Respondent 's 1-6	17	53
Complainant 's 1-4		39

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(Whereupon, Respondent's Exhibit
Nos. 1, 2A through D, and 3
through 6 were marked for
identification, as of this
date.)

JUDGE RILEY: Pursuant to the direction of the
Illinois Commerce Commission, I call Docket 07-0373.
This is a complaint by Aurelia Simpson as to billing
and charges in Chicago, Illinois.

Ms. Simpson, you are appearing without
benefit of counsel at this time; is that correct?

MS. SIMPSON: Mm-hmm.

JUDGE RILEY: And, Mr. Goldstein, you're on
here?

MR. GOLDSTEIN: Yes. On behalf of Peoples Gas
Light and Coke Company, Mark L. Goldstein, 108
Wilmont Road, Suite 330, Deerfield, Illinois 60015.
My telephone number is (847) 580-5480.

JUDGE RILEY: Thank you. And, at this time, we
are scheduled to go to hearing on Ms. Simpson's
complaint, which I understand states essentially that

1 you had a furnace that was broken and not providing
2 any heat between February 3rd, 2007, and April 30,
3 2007, yet you were still being billed; is that
4 correct?

5 MS. SIMPSON: Yes.

6 (Witness sworn.)

7 JUDGE RILEY: Is there anything you would like
8 to say over and above what you have put in your
9 complaint?

10 MS. SIMPSON: No, just what my bills that I'm
11 going to show you.

12 JUDGE RILEY: All right. Then let me ask some
13 questions.

14 AURELIA SIMPSON,
15 called as a witness herein, having been first duly
16 sworn, was examined and testified as follows:

17 EXAMINATION

18 BY

19 JUDGE RILEY:

20 Q Do you live in a single-family home or an
21 apartment?

22 A A single-family home.

1 Q And is it a two-story, a three-story?

2 A It's two stories. There used to be an
3 apartment upstairs, but I don't have nothing now. I
4 haven't been there in 15 years. It's just an
5 upstairs.

6 Q I'm not sure what you're testifying to
7 there.

8 It's a two-story home and you say you
9 haven't lived there in 15 years?

10 A No, no one else lives there, not since I've
11 been there.

12 Q So you're the only one living there?

13 A Uh-huh.

14 Q And you were the only one who was living
15 there during this February 3rd date to April 30
16 period?

17 A Yeah.

18 Q Do you have any idea what kind of a furnace
19 it is?

20 A It's a brand new furnace.

21 Q It's a new furnace?

22 A Mm-hmm, three years old, got it from Ceda.

1 Q And that's the one that quit working on
2 February 3rd; is that correct?

3 A Mm-hmm. Yeah, it was cold and it conked
4 out. It's a new furnace and took all that time to
5 get them to come back and fix it.

6 Q Okay. Well, that was my next question.
7 Did someone come out to fix it?

8 A Ceda.

9 Q It's C-e-d-a?

10 A It's two different. I didn't know that.
11 Whatever they call weatherization.

12 Q Weatherization?

13 A Weatherization, mm-hmm. So I thought Ceda
14 and weatherization.

15 Q But this wasn't a private outfit?

16 A No. No. No. Yeah, they bonded out and
17 Maxwell Heating did the work.

18 Q Okay. Maxwell Heating?

19 A Mm-hmm. I couldn't find their -- I don't
20 know what was wrong.

21 Q Now, on -- you've got the date February 3rd
22 down here. Was it on February 3rd that you realized

1 the furnace was no longer working?

2 A I went to visit my son and when I came
3 back, I went over to my daughter's house and she
4 lives four blocks from me, 91st and Normal. And I've
5 been there ever since. And then they fixed the
6 furnace a little before --

7 Q Okay. We're getting a little ahead of
8 ourselves.

9 So the furnace quit working on
10 February 3rd. You weren't getting any heat in the
11 house?

12 A No heat.

13 Q And how long did it take before you had
14 someone out there to fix it?

15 A As long as it took them people to come.
16 They came out three or four times and said they fixed
17 it. I didn't leave my daughter's house until the end
18 of April and I couldn't go anywhere because the water
19 wasn't on because the hot water tank was broke. All
20 this happened when one thing happened.

21 Q So Maxwell Heating came out three or four
22 times and was unable to fix it. This was between

1 February 3rd and April 30th?

2 A Mm-hmm.

3 Q Okay. What did they claim?

4 A They said they needed a part and then they

5 get the part and the man ain't put that part on.

6 Then he said he got to send out for a part.

7 Q So it's correct to say between February 3rd

8 all the way through the rest of the month all the way

9 through March and virtually all through April the

10 furnace did not work?

11 A No, it worked -- about a week at the end of

12 April, yeah, it worked.

13 Q Okay.

14 A But I didn't come back home until the end

15 of April.

16 Q So you moved out of there on February --

17 A Yeah, I had to; it was cold.

18 Q Did you move out on February 3rd?

19 A Yeah, I think that was a Monday or a

20 Saturday.

21 Q Now, did the furnace begin to work again

22 because they had finally put the --

1 A Finally fixed that piece.

2 Q That broken part?

3 A Yeah, they didn't know what they was doing,
4 but I went over to the -- I got the date when I went
5 over to the weatherization. It was the 22nd of
6 February and they didn't get through till April.

7 Q Okay. Did they ever tell you what part was
8 broken?

9 A A little thing that looked like a round --
10 it looked like a ball. No, he didn't tell me that.
11 He had to bring it out of the basement. He was
12 sitting on the little stoop out there and he couldn't
13 make it fit, whatever it was.

14 Q Okay.

15 A I tried to get that inspector to come down
16 here with me because he's the one that inspected the
17 job. He said he can't do that.

18 Q Now, what other -- was the furnace --
19 strike that.

20 This is a gas furnace, right?

21 A Mm-hmm.

22 Q And what other gas appliances did you have

1 in the house?

2 A A stove upstairs.

3 Q Okay. Now, between February 3rd and April

4 30, you received bills?

5 A Mm-hmm.

6 Q Okay. Now, were you still -- are you the

7 owner of the home?

8 A Mm-hmm.

9 Q You own the home?

10 A Mm-hmm.

11 Q And you were the owner of the home during

12 this period of time?

13 A Mm-hmm. I've been there 32 years.

14 Q And you were still receiving bills for heat

15 during this time?

16 A Mm-hmm.

17 Q Even though the furnace was not working?

18 A And then they don't know to add. I noticed

19 that last night. I'll show it to you. I didn't

20 believe this.

21 Q Let me see the bills that you received for

22 this period.

1 A Okey-dokey.

2 MR. GOLDSTEIN: Judge, for the record, the
3 bills for the February, March and April bills are --

4 THE WITNESS: I've got them in order.

5 MR. GOLDSTEIN: -- Respondent's Exhibit 2.

6 JUDGE RILEY: Okay. But I want the complainant
7 to put on her own case.

8 THE WITNESS: That's the one that he charged me
9 for the April because I've been paying the bill and
10 left that off.

11 JUDGE RILEY: All right.

12 THE WITNESS: All right. These are later
13 bills. You want the --

14 BY JUDGE RILEY:

15 Q What I want to see are the bills that you
16 received for the period of time for the heat you --

17 A I think I've got them all.

18 Q -- gases you were charged between February
19 3rd, 2007, and April 30th, 2007. Let me take a look
20 at these.

21 A I've got a whole heap of bills for three
22 months. You see how I did some math on the bottom of

1 one of them.

2 Q Okay. Hold on just a second, please.

3 Was anyone else living in the home

4 during this period of time?

5 A Mm-hmmn.

6 Q And did you have any other appliances that

7 were using gas at that time?

8 A No, the hot water tank.

9 Q I'm sorry. The hot water tank?

10 A Do it use gas? I don't know, but that's

11 the only thing that I know that they say uses gas.

12 It wasn't working no way, so you don't have to put it

13 down.

14 Q When did you move back in?

15 A The 1st of May. It was the last of April,

16 1st of May. I don't know exactly. I know it was

17 warm. My bills wasn't high.

18 Q And you say you have a stove, a gas stove?

19 A Mm-hmm. It's about -- how old is my stove?

20 About ten years old.

21 Q And the water tank?

22 A And my hot water tank ain't old at all;

1 it's about six years.

2 Q Okay. Is there anything else that would be
3 using gas in the home?

4 A Mm-hmmn, no.

5 Q Okay. And there's only the one furnace; is
6 that correct?

7 A Mm-hmm.

8 Q All right. Okay. Okay. This particular
9 bill is outside the period of time that we're talking
10 about?

11 A Oh. I want to show you how they added this
12 up. I can't believe this. And they don't usually
13 make a mistake on this.

14 Q What is it you have there?

15 A Okay. Now, see how they have this and
16 they've got 350-something and I added these two
17 things together and I got 304.

18 Q All right.

19 A They don't usually make mistakes like that.

20 Q Yeah, there's a formula involved here of
21 additions and subtractions. I would note this.

22 A I just want to show you if they been doing

1 it all along, I ain't notice. I just noticed it last
2 night.

3 Q Okay.

4 A I know they flipped up with that -- what
5 you call that? The high heating money. I didn't
6 know. That's why I bought toward the 12 month.

7 Q Right. Okay. When you moved out, did you
8 leave the -- was gas still being fed into the stove?

9 A I don't know. I just -- it was so cold.

10 Q Was the pilot light still on?

11 A I didn't know because we was in the front
12 room, my daughter and me. And I said, It's freezing.
13 It was cold.

14 Q I understand that.

15 A And we hurried up and called my daughter
16 and told her to come and get us because we couldn't
17 stay in that house. I really didn't look to see if a
18 pilot light was on.

19 And every time I came back over, every
20 time the gas company came, the people came, I never
21 used the stove. I really didn't because I got a
22 girlfriend there down the street. If I wanted some

1 coffee, I went to her house. I never did touch the
2 stove.

3 Q You didn't --

4 A I didn't cook -- make some coffee, you
5 know, waiting on them to come. Yes, I did that
6 because of my girlfriend, I just went on down to her
7 house.

8 Q So your stove didn't get used at all?

9 A I didn't turn it on, mm-hmmn.

10 Q And there was no one using the stove while
11 you moved out?

12 A No, unless they broke in and didn't tell
13 me.

14 Q This is the period of time we're talking
15 about February 3rd to April 30th, 2007?

16 A Mm-hmm. No, I'm just joking, ain't
17 nobody -- I hope not. I ain't got what nobody want
18 anyhow.

19 JUDGE RILEY: That for right now is all the
20 questions that I have. I'm going to turn you over to
21 Mr. Goldstein --

22 THE WITNESS: Mm-hmm.

1 JUDGE RILEY: -- for any questions that he may
2 have.

3 CROSS-EXAMINATION

4 BY

5 MR. GOLDSTEIN:

6 Q Now, Ms. Simpson, you said you lived in a
7 two-story?

8 A Mm-hmm.

9 Q Is it a frame home?

10 A Mm-hmm.

11 Q Is that a "yes"?

12 A Yes.

13 Q Okay. How many bedrooms does it have?

14 A Three.

15 Q Is that --

16 A And upstairs is two -- let me see --
17 two bedrooms.

18 Q So there are two bedrooms upstairs and
19 three bedrooms downstairs?

20 A Mm-hmm.

21 Q Okay. And how old is the building?

22 A Older than me. I'm 66. I was born and

1 raised there. This is a family house. I was born
2 and raised there. So I guess it must be 80, 90 or a
3 hundred.

4 Q So it's a rather old house?

5 A Oh, yes. Yes.

6 Q When was the last time you repaired the
7 roof?

8 A I'm waiting trying to get it repaired now.

9 Q Is there holes in the roof?

10 A Yeah, I got a leak.

11 Q Okay. Now, you said you had a hot water
12 tank that was broken. Do you recall --

13 A I mean, the pipe, not the hot water tank,
14 the pipe.

15 Q Did you ever notice that there was water
16 dripping throughout the house?

17 A Mm-hmmn.

18 Q You never notice that?

19 A No.

20 Water dripping?

21 Q Yes.

22 A No. No. No. No.

1 Q Do you have any of the bills for Maxwell
2 Heating when they came out?

3 A No, I told you I got it under the program.

4 Q So they didn't give you a bill?

5 A No, you just -- under the weatherization
6 program, it goes by low income and they pay it, I
7 guess, whoever.

8 Q Now, you moved out --

9 A You can call them and find out.

10 Q You moved in around February?

11 A February 3rd.

12 Q And you moved back in May 1st?

13 A The last of April.

14 Q Are you aware that Peoples Gas came out
15 once in March and once in April --

16 A Mm-hmm, I was there.

17 JUDGE RILEY: Let him finish the question.

18 THE WITNESS: Okay.

19 BY MR. GOLDSTEIN:

20 Q -- once in March and once in April to see
21 what the problems were at your house?

22 A Yeah.

1 Q And did you go around with the person who
2 was there?

3 A Yes.

4 Q And the person pointed out to you that
5 there were holes in the roof and things of that
6 nature?

7 A No, he ain't say nothing about no holes on
8 no roof. He didn't do nothing but go in the basement
9 and look at the furnace. The second man that came
10 out he was a little better. He came upstairs. The
11 other man didn't even come upstairs. I was standing
12 at my girlfriend's house waiting, watching out the
13 window for him to come. When he finally did come, he
14 went in the basement and that was it. And I told him
15 that the heat had not been on. He told me that the
16 meter -- I said, How were you going to read a meter
17 when no heat was on?

18 Q Did anybody tell you that your kitchen
19 faucet was leaking?

20 A No. I had a drip. It wasn't leaking. It
21 was going boom, boom. That was after I moved back
22 in. That's when I had to get the plumber.

1 Q Okay. And then with respect to your house,
2 have you had it insulated within the last 30 years
3 that you've been living there?

4 A No. No. No.

5 Q Okay.

6 A That's why I get the big gas bills.
7 Although, they said they did, but they ain't did
8 nothing.

9 Q So other than being there with the Peoples
10 Gas Company employees that went out to --

11 A Yeah, the second man moved more than that
12 first man. That first man only went down in the
13 basement.

14 Q Okay. Other than those two times that you
15 were back at the house --

16 A Because I called them and told them that I
17 would be there and they told me when they was coming
18 out and I had to be over there.

19 Q So you let them in?

20 A Yeah. Mm-hmm.

21 Q Are you aware that you have a device on
22 your gas meter that automatically reads your gas

1 usage every month?

2 A No, because if they reading it, how can
3 they read something that wasn't on? I don't know
4 what's on there. All I know is a meter is right
5 here. A furnace is right here. The hot water tank
6 is over here. That's it. Plus, I don't be going
7 down in the basement too much.

8 Q Well, do you do laundry in the house?

9 A No. No.

10 Q Now, you said you're going to have your
11 roof repaired?

12 A I've been waiting since -- I was on the
13 city program. I'm a poor lady and you have to get on
14 these programs and they keep telling you, You ain't
15 got this, You ain't got that.

16 Q How long has it been since you applied to
17 have your roof repaired?

18 A New Year's Eve is the day you apply for the
19 city program --

20 Q That was 2006, New Year's Eve 2006?

21 A You call them up and they send you a letter
22 and tell you you (sic) approved and you wait. That's

1 what poor folks do, wait, wait. They ain't did
2 nothing yet. I still ain't got no roof. So I'm
3 going to have to get me some money together and get a
4 patch.

5 JUDGE RILEY: Okay.

6 BY MR. GOLDSTEIN:

7 Q In the time -- in the last six months or
8 eight months -- let's see --

9 A Nine months now.

10 Q The first eight months of this year, have
11 you noticed any squirrels in your house?

12 A No. No.

13 Q Did anybody ever point out --

14 A They don't be in there in the summer.

15 Q How about in the winter, were they in there
16 in the winter?

17 A Mm-hmmn. No. They ain't be in the house,
18 but I hear them.

19 Q You hear them in the house?

20 A You know how you can hear them sometimes?

21 Q Up on the roof?

22 A Mm-hmm.

1 MR. GOLDSTEIN: I have nothing else of the
2 witness.

3 JUDGE RILEY: All right. Then, Ms. Simpson,
4 you have got four bills here that pertain
5 specifically to the period in question --

6 MS. SIMPSON: Mm-hmm.

7 JUDGE RILEY: -- February 3 through April 30,
8 '07.

9 Mr. Goldstein, these are the four
10 bills I'm referring to.

11 MR. GOLDSTEIN: If these are going to be marked
12 as an exhibit, group exhibit or exhibits, we have no
13 objection, Judge. We pretty much covered that --

14 JUDGE RILEY: Okay.

15 MR. GOLDSTEIN: -- in Respondent's Exhibit 2.

16 JUDGE RILEY: All right. Ms. Simpson, these
17 four documents, I trust that you are offering these
18 as evidence that you were billed --

19 MS. SIMPSON: Mm-hmm.

20 JUDGE RILEY: -- for a furnace that was not
21 working, which is essentially what your case is?

22 MS. SIMPSON: Mm-hmm.

1 JUDGE RILEY: Then what I would like to do is
2 identify these as Complainant's Exhibits 1, 2, 3 and
3 4. And what I'll do is I'll get copies made and give
4 you back the copies.

5 MS. SIMPSON: Oh, okay.

6 JUDGE RILEY: And then this will be your
7 evidence and I trust that you are -- I guess the
8 proper terminology is that you're moving, you're
9 making a motion to admit these into evidence in this
10 case.

11 MS. SIMPSON: Okay. I look at TV. What I want
12 to find out is this, it's what's bugging me.

13 JUDGE RILEY: Mr. Goldstein, you said you had
14 no objection to the admission of these documents?

15 MR. GOLDSTEIN: That's correct, Judge.

16 JUDGE RILEY: This is Complainant's Exhibit 1;
17 March 29th, 2007, is Complainant's Exhibit 2; April
18 26th, 2007, is Complainant's Exhibit 3; and the bill
19 dated May 25, 2007, is Exhibit No. 4. They are all
20 admitted into evidence.

21

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1 (Whereupon, Complainant's
2 Exhibit Nos. 1 through 4 were
3 admitted into evidence.)

4 JUDGE RILEY: And that completes your case for
5 the time being.

6 Mr. Goldstein?

7 MR. GOLDSTEIN: Yes, I'd like to call Zenetra
8 Weatherall.

9 Would you have her sworn.

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1 (Witness sworn.)

2 ZENETRA WEATHERALL,

3 called as a witness herein, having been first duly
4 sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY

7 MR. GOLDSTEIN:

8 Q Ms. Weatherall, please state your name
9 again and spell your last name.

10 A Zenetra Weatherall, W-e-a-t-h-e-r-a-l-l.

11 Q And you are employed by Peoples Gas; is
12 that correct?

13 A Yes.

14 Q What is your position with Peoples Gas?

15 A I'm a billing specialist with Peoples Gas.

16 Q And how long have you been employed by
17 Peoples Gas?

18 A Eight years.

19 Q And how long have you been a billing
20 specialist with Peoples Gas?

21 A Five years.

22 Q And how did you become familiar with the

1 gas account of the complainant, Aurelia Simpson?

2 A She filed an informal complaint.

3 Q With the Commission?

4 A Yes.

5 Q And you've been handling both the informal
6 and formal complaint at the Commission; is that
7 right?

8 A Yes.

9 Q And you have reviewed the books and records
10 of Peoples Gas with respect to Ms. Simpson's gas
11 account; is that right?

12 A Yes.

13 Q And the exhibits that you are going to be
14 providing this morning, Respondent's Exhibits 1
15 through 6, are all from the books and records of
16 Peoples Gas?

17 A Yes.

18 Q And those books and records and these
19 exhibits are kept in the ordinary course of Peoples
20 Gas' --

21 A Yes.

22 Q -- business as a public utility; is that

1 right?

2 A Yes.

3 Q All right. Let's start with Respondent's
4 Exhibit 1, Ms. Weatherall.

5 Would you explain what that exhibit
6 is.

7 A These are the meter reading records that
8 would show when the meter was read, how it was read.
9 This document goes from May 25th of 2004 through
10 August the 27th of 2007. It shows that the meter has
11 been read every month. There is an automatic meter
12 reading device that allows us to scan the meter
13 electronically from the outside.

14 MS. SIMPSON: Can I answer, please?

15 JUDGE RILEY: When Mr. Goldstein is done with
16 the question, then you can ask the witness any
17 questions.

18 BY MR. GOLDSTEIN:

19 Q So on the column where it says "read code"
20 and there are -- there's a term "van," what is that?
21 What does that mean?

22 A That means that the meter is scanned

1 electronically with a van. A service person is in
2 the van and he drives down the street and with this
3 signal, you know, the radio waves, it sends a message
4 to the van and the meter is read.

5 Q And that's how most of the meters in
6 Peoples Gas service territory are read; isn't that
7 right?

8 A Correct.

9 Q All right. Let's turn to Respondent's
10 Exhibits 2A through 2D.

11 These are the same gas bills, are they
12 not, that Ms. Simpson offered into evidence as her
13 exhibits, Complainant's Exhibits 1 through 4,
14 correct?

15 A Correct.

16 Q Is there anything that you want to point
17 out with respect to these bills for service?

18 A These bills are from January the 25th of
19 '07 through May the 25th of '07. So they are during
20 the time period of which she is disputing. They all
21 show that there was usage on the meter.

22 Q And that usage was recorded on what's been

1 marked as Respondent's Exhibit 1; is that right?

2 A Correct.

3 Q Now, it shows a variety of payments and
4 let's start with Respondent's Exhibit 2A. The
5 largest payment seems to be for a payment by --

6 A Correct.

7 Q How would you characterize the actual gas
8 usage on Ms. Simpson's account for the period between
9 January and May of 2007 for those bills? Is there a
10 high gas usage shown on those bills?

11 A I would say the -- her gas bills are in
12 line with her previous years for the winter months.
13 I would say, yes, this is a typical bill for the
14 winter months.

15 Q Let's turn to Respondent's Exhibit 3. What
16 is shown on that exhibit, Ms. Weatherall?

17 A This is a screen panel, profile panel which
18 basically shows Ms. Simpson has a residential heating
19 account. It also shows the current balance on her
20 account. As of right now, she has an account balance
21 of \$160.53. She has an outstanding balance of
22 \$125.95 cents. And then the current bill, which is

1 not yet due until September the 18th, of \$34.63.

2 Q Let's turn now to Respondent's Exhibit 4.
3 Could you explain what this exhibit is.

4 A This is a service report, which would
5 basically be reported by the service person and these
6 are their remarks. This one is dated March the 27th
7 of '07 showing an arrival of 3:44 p.m.

8 Q And what are the remarks that are shown
9 with respect to going out to Ms. Simpson's residence?

10 A It states that the meter was still running
11 because the water piping was broken and that the
12 water was still running causing the high bill. So
13 this service report is basically a high bill
14 investigation. So the service person went out to
15 investigate and these were his findings.

16 MS. SIMPSON: Now, what month was that?

17 JUDGE RILEY: I'm sorry.

18 BY MR. GOLDSTEIN:

19 Q And that was for March 27th?

20 A This was March 27th of '07.

21 Q Are there any comments with respect to the
22 furnace?

1 A No.

2 Q All right. Let's turn to Respondent's
3 Exhibit 5. Would you explain, again, what this
4 service order shows.

5 A This service order is dated for April
6 the -- April the 12th. Two comments were made. The
7 first comment states that this should be a high bill
8 investigation. It looks like we went out to change
9 the meter. And when the service person talked to
10 Ms. Simpson, it, you know, resulted in a high bill
11 investigation.

12 So the customer's reading for this day
13 was 6541, which is, of course, much higher than the
14 previous month. It states that the customer has a
15 leaky -- a leaking kitchen faucet. It also states
16 that the roof was so bad that the squirrels have come
17 into this two-story house all the way down to the
18 kitchen and living room ransacking everything. Those
19 were his comments.

20 Q Right. Let's now turn to Respondent's
21 Exhibit 6, if you would. This is another service
22 order --

1 A Yes.

2 Q -- is that right?

3 A Yes. It's for the same day as Exhibit 5.

4 So this is a second comment because he didn't have
5 enough room to notate in on the record. It states
6 that the furnace was broken for some time. He
7 explained there was no heat. The water tank was
8 still running and a freezing house made it work
9 harder with a leaky faucets, no installation in the
10 house are practically all reasons for this high bill.

11 Q Now, you've testified that these -- the
12 usage, as indicated on Respondent's Exhibit 1, seems
13 to be in line with what you show on Respondent's
14 Exhibit 1 which covers a period of May of 2004 to
15 August of 2007; is that correct?

16 A Correct.

17 Q Is there anything else that you'd like to
18 add with respect to this account?

19 A Based upon the company records, I would
20 assume that the gas was used because each month we
21 continued to get readings that were higher than the
22 previous month. So that would show that the gas was

1 consumed even with the broken appliances being there.

2 MR. GOLDSTEIN: I have nothing else.

3 JUDGE RILEY: Okay. Thank you, Mr. Goldstein.

4 Ms. Simpson, it is now your turn to
5 ask Ms. Weatherall anything that you want to with
6 regard to what she's testified to.

7 CROSS-EXAMINATION

8 BY

9 MS. SIMPSON:

10 Q On the April, I think you said a man came.
11 How can I have an excessive bill in April? April's
12 not cold.

13 And before that you had said -- I
14 remember the man that came and he asked me if I had
15 some squirrels. I told him there wasn't no squirrels
16 in there. What do the squirrels have to do with the
17 gas?

18 A Well, the squirrels inside your home, that
19 would show that you obviously have a hole or some
20 point of entrance for them to get in.

21 Q But what do that have to do with the gas?

22 A If there's a hole in the roof, that means

1 you have cold air coming into your home.

2 Q In April?

3 A I'm showing that we were out in March and

4 April.

5 Q But I tell you the exact date, the 22nd and

6 the 12th?

7 A But if you have a hole in April, that means

8 you had a hole in February, in March. So if you

9 still have a hole --

10 Q When did he go up on the roof? When did he

11 pull his ladder out?

12 A It doesn't mention anything about him being

13 on a roof.

14 Q So how could he see a hole in the roof?

15 A How else would they be able to get in?

16 Q I don't know either.

17 A Well, you just mentioned that you did have

18 a hole.

19 Q You said it. I'm going by what he said.

20 He said I got a leak. I don't know if it's a hole or

21 just some water, you know, coming down because it's a

22 hole or whatever, you know, but I don't know because

1 I ain't never been up there on the roof and I hope I
2 don't have to go up there.

3 A But you are aware of a leak, though?

4 Q Yes. Yeah. Yeah, I got a leak. What I'm
5 trying to say is he's saying, like, it's a hole.
6 When he came in a car, it was the first man that came
7 that was very rude, I will tell you that. The second
8 man that came was very nice.

9 A Okay.

10 Q The first man didn't want to be bothered.
11 He was ready to go home because he had a 3:30
12 appointment or something. He came -- the other man
13 came in the morning and he was very polite and nice.

14 A Well, I'm only going on what what's on the
15 company record.

16 Q But I'm telling you now, I don't never want
17 to see that first man because he was rude and I get
18 along with everybody. I like people.

19 JUDGE RILEY: Okay. Do you have any further
20 questions for Ms. Weatherall?

21 MS. SIMPSON: No.

22

1 EXAMINATION

2 BY

3 JUDGE RILEY:

4 Q Ms. Weatherall, I want to go back to
5 Respondent's Exhibit 4 and there's something I don't
6 understand. It states in the remarks, Because the
7 water piping is leaking, it's causing the high bill.

8 What does -- what's the connection
9 between a broken water pipe? The water is running so
10 it's leaking; is that what this is saying?

11 A I believe so, yes, that the water tank was
12 still on and it's still running in poor condition.

13 Q Okay.

14 A So it was never disconnected.

15 Q So the gas is still heating the water which
16 is leaking?

17 A Correct.

18 MS. SIMPSON: How do you know it was hot water?

19 THE WITNESS: It's a hot water tank, so I would
20 assume. He didn't state what the temperature was.

21 MS. SIMPSON: Because my gas bill would be high
22 then. And how much water could you use for --

1 THE WITNESS: So if the water was running.

2 JUDGE RILEY: Okay.

3 Did you have any further questions for
4 Ms. Weatherall?

5 MS. SIMPSON: No.

6 MR. GOLDSTEIN: Judge, I'd move for the
7 admission of Respondent's 1 through 6.

8 JUDGE RILEY: Ms. Weatherall (sic), it is your
9 privilege to object to any of these exhibits that
10 Mr. Goldstein has offered for admission into evidence
11 and you have copies of them right before you.

12 I should mention that Respondent's 2A
13 through D are exactly what you've submitted in your
14 case, but the other exhibits are -- come from Peoples
15 Gas, you know, their record system.

16 Do you have any objection to any of
17 these exhibits?

18 MS. SIMPSON: No, because I don't really know
19 because every time you called, I didn't ask. They
20 say if you don't have a bill, it's too bad. How do
21 they get a record when they claim they don't keep a
22 record? When you call down there, they going to tell

1 you, If you don't have your bill, how you going to do
2 anything? That's why I save my bills.

3 JUDGE RILEY: Okay. Well, then Respondent's
4 Exhibits 1 through 6 are admitted.

5 MR. GOLDSTEIN: Thank you, Judge.

6 (Whereupon, Respondent's Exhibit
7 Nos. 1 through 6 were admitted
8 into evidence.)

9 MS. SIMPSON: Do they really look at that bill?
10 Then I still had to pay them \$300 dollars, why was
11 that?

12 JUDGE RILEY: I don't know.

13 MS. SIMPSON: I don't understand that either.
14 Who looking over it now? Is this the end of it?

15 JUDGE RILEY: This is pretty much the end of
16 the case unless you had something more that you
17 wanted to offer.

18 MS. SIMPSON: No, I wanted to see how they
19 hooked it up and took it away.

20 JUDGE RILEY: Well, the procedure now is --
21 well, ordinarily what we would do is set a schedule
22 for what they call closing briefs.

1 Would you feel prepared to submit a
2 written summation of your case?

3 MS. SIMPSON: I mean, do I look like a lawyer?
4 I can borrow the gas company's lawyer.

5 JUDGE RILEY: Or would you rather just make the
6 closing remark?

7 MS. SIMPSON: I don't understand how they could
8 take that heat money, my \$300 and come up with a bill
9 and then still say I owe for April. On that last
10 bill -- did I show you the last?

11 MS. WEATHERALL: It shows you got a credit.

12 JUDGE RILEY: Don't have a conversation here.

13 MR. GOLDSTEIN: We'll try and explain that off
14 the record, Judge.

15 JUDGE RILEY: I'll go through everything I've
16 got here.

17 Mr. Goldstein, did you want to make
18 any closing remarks?

19 MR. GOLDSTEIN: No, no brief, Judge. I think
20 it's pretty clear that we have a condition here where
21 this is a very old building, the house. It's got a
22 roof that needs repair and Ms. Simpson's testified to

1 that. The -- there's been testimony as to broken
2 water piping in the house and a leaking faucet, which
3 Ms. Simpson could testify to also. It's quite clear
4 that under those conditions --

5 MS. SIMPSON: It's a thousand dollars worth of
6 gas.

7 MR. GOLDSTEIN: -- the gas bills could be quite
8 high. They're reflected by actual meter readings and
9 they are actually very high and it's due to the
10 condition of the home.

11 JUDGE RILEY: All right. Then the procedure
12 from this point, Ms. Simpson, is what I'll do, I'll
13 wait until the transcript of this hearing is
14 available and I'll write up what's called a proposed
15 order and I'll send a copy to you and Mr. Goldstein.

16 MS. SIMPSON: Okay.

17 JUDGE RILEY: You'll both get a copy and then
18 you could --

19 MS. SIMPSON: So if I didn't have no heat in
20 there, how did they read the meter? I can't
21 understand that. And if I had a leak, there's no way
22 it's \$1300 worth of water leaking out of there.

1 JUDGE RILEY: Okay.

2 MS. SIMPSON: That's all I got to say.

3 JUDGE RILEY: Okay. All right. Then I'll get
4 the proposed orders out within three weeks to a month
5 and the parties can respond as they see fit with
6 exceptions. It will give you dates for exceptions.

7 MS. SIMPSON: What that mean, come back?

8 JUDGE RILEY: No, all that means is to again
9 submit any written objections that you would have to
10 the proposed order.

11 MS. SIMPSON: Oh.

12 JUDGE RILEY: And after I receive those
13 exceptions, I'll prepare a final report for the
14 Commission and the Commission will rule on the case.

15 MS. SIMPSON: Okay. Now I know where you're
16 at.

17 JUDGE RILEY: If there's nothing further, I
18 direct the court reporter to mark this matter heard
19 and taken.

HEARD AND TAKEN.